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IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN  
DISTRICT OF PENNSYLVANIA

IN RE:

EUSTACE O. UKU,

Debtor.

BANKRUPTCY NO. 21-21712-CMB

Chapter 13

**OBJECTIONS TO EXEMPTIONS**

1. Movant is Charles A. Knoll, Jr. (“Knoll”), a judgment creditor against the Debtor, Eustace O. Uku (“Uku”).

2. On July 17, 2014, Knoll took judgment against Uku after trial, the basis for the judgment being Uku’s fraudulent conversion of funds belonging to Knoll and Uku.

3. Knoll issued execution against Uku and identified two properties, which are listed in Uku’s Petition: 214 Farmington Rd., Pittsburgh 15215 and 8260 Chaske St., Verona, PA 15147.

4. Knoll has Judgment Liens against the foregoing properties.

5. Uku had fraudulently transferred the properties in 2010 which was determined in the Common Pleas Court of Allegheny County.

6. In his Petition, Uku values 214 Farmington Road at \$300,000.

7. With a mortgage debt near the value Uku assigned to 214 Farmington Road, Uku proposes to utilize \$20,080.03 of exemptions to equal the value of the property and strip/cram down Knoll’s Judgment.

8. Uku intends to utilize his exemptions to continue to own and reside at 214 Farmington Road.

9. The other properties in which Uku has an interest are being sold pursuant to the plan.

10. Knoll obtained an independent appraisal of 214 Farmington Road indicating a market value of \$450,000. However, Knoll believes given the current market, it will sell for a greater amount.

11. In addition, Knoll and Uku obtained a joint appraisal pursuant to court order which notes a market value of \$390,000.

12. Given the appraised value of the property, Uku cannot claim 214 Farmington as exempt and it must be sold pursuant to any plan with funds to secured creditors.

13. Further, Uku's debt is not dischargeable and is subject to an Adversary Action filed on October 19, 2021 at 21-02104-CMB.

14. Thus, Uku's exemptions are improper as his Debt to Knoll cannot be discharged and 214 Farmington Road is undervalued in the plan and must be sold.

Respectfully Submitted,

MAURICE A. NERNBERG & ASSOCIATES

Date: October 19, 2021

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